

REMARKS

New claim 60 calls for storing on a receiver, a user-selected option, the option associated with an event in a video transmission, monitoring and storing one video transmission on the receiver while tuning the receiver to another video transmission, the monitoring to detect the event, the tuning to display the another transmission, and in response to detecting the event, queuing the stored one video transmission for display, the display of the one video transmission from a predetermined time before the occurrence of the event.

None of the cited art, alone or in combination disclose or suggest all of the limitations of new claim 60. For example, new claim 60 makes clear that monitoring, storage and displaying all occur the end-user's receiver. De Saint Marc fails to disclose an end-user receiver that performs the claimed method. [0053]. Further, the broadcast center of De Saint Marc fails to perform the method claimed. In particular, De Saint Marc fails to specifically disclose a method where an end-user chooses the specific parameters he or she wishes to receive notification about. *See*, [0032] and [0035]. Furthermore, De Saint Marc does not respond to the detection of the event by queuing a stored video transmission for display. Rather, all channels are time delayed and transmitted on a continuous basis regardless if an event is detected. [0046] and [0048]; Figure 3. In contrast, in an embodiment of the present invention, one transmission is monitored and stored at the user's receiver while another is being watched in real time. When an event is detected, the stored transmission is queued for display. Thus, in some embodiments only those channels selected for monitoring, i.e., those of specific interest to the user, are stored and possibly displayed.

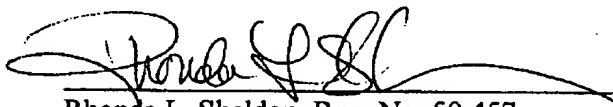
Automating De Saint Marc would not cure deficiencies. That is, monitoring and storing are two different processes in De Saint Marc. Automating would alter De Saint Marc in a way that was never contemplated. Such a radical alteration in construction would be evidence of non-obviousness. M.P.E.P. § 2143.02. *Proposed Modification Cannot Change the Principle of Operation of a Reference*. Accordingly, new claim 60 and claims dependent thereon are believed to be patentable over the cited art. For at least the same reasons, new independent claims 72 and 84 and claims dependent thereon are also believed to be patentable over the cited art.

A statement regarding common ownership of the above referenced application and application 09/196,262 was made in the reply to Final Rejection dated July 3, 2003. *See also*, Reel/Frame 010494/0500 and 9603/0126, for the above-referenced application and the 09/196,262 applications respectively. Thus, unless the '262 application is cited as anticipatory prior art, prior inventorship is not believed to be an issue. *See*, M.P.E.P. § 804.03, II.

The application is believed to be in condition for allowance. The Examiner's prompt action in accordance herewith is requested.

Respectfully submitted,

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